

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,)	CASE NO. 8:21CR29
)	
Plaintiff,)	
)	OBJECTIONS TO
v.)	PRESENTENCE INVESTIGATION
)	REPORT
DARRELL L. THOMPSON,)	
)	
Defendant.)	

Defendant Darrell Thompson has reviewed the Revised Presentence Report (RPSR) and addendum and states the following objections:

1. The Defendant objects to paragraphs 35,36,46,51,54, 98, and all corresponding paragraphs relating to the RPSR's drug quantity calculation, specifically the inclusion of what the RPSR sets forth as relevant conduct from an arrest on 11-30-19 in the state of Iowa. From that arrest the RPSR has incorrectly assessed Defendant with an additional 26 grams of methamphetamine mixture. This additional amount added to the correct agreed upon amount by the Government and Defendant in the plea agreement (5 grams or less of methamphetamine mixture) places the defendant at a base offense level of 20 instead of 12.
2. The inclusion of this is improper. It is not relevant conduct as the November 2019 traffic stop in Mills County Iowa resulted in the conviction of the driver of a vehicle that Mr. Thompson was a passenger in. Furthermore Thompson's case was dismissed with prejudice and a written order issued by the court in that case.

3. As to the guideline calculation in count 3 of the indictment, Mr. Thompson should be held responsible for 5 grams or less of mixture and therefore have a corresponding base offense level of 12. After acceptance of responsibility the Defendants drug quantity guideline range as to Count 3 of the indictment is properly 15-21 months.

Defendant respectfully requests the court sustain the above stated objections.

DARRELL L. THOMPSON, Defendant,

By: s/ Karen M. Shanahan

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